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*(ADMITTED NEW YORK, NEW JERSEY)

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November 8, 2021

VIA ELECTRONIC FILING

The Honorable Gabriel W. Gorenstein
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: Erdman v. Victor 20-cv-4162

Dear Judge Gorenstein:

This letter is written to you in accordance with the Civil Case Management Plan dated September 2, 2021, in particular Section 8(g) regarding modification of plan deadlines by written consent of the parties.

The parties had negotiated to extend the time to respond to our requests for documents, served on October 4, 2021, from November 4, 2021 to November 11, 2021. The vendor used by the Defendant for purposes of the document production anticipate a production of about 328,000 pages. The imaging process and setting up the metadata for that many pages takes time, and consequently Defendant is requesting additional time to respond to Plaintiff's document request, which will inevitably affect the deadline for depositions as well as the overall deadline for fact discovery.

According to the document vendor, the process of imaging and exporting that many documents will take approximately 27 days, give or take. Plaintiff has not consented to a

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modification of that length. Plaintiff has also informed the Defendant that he anticipates producing over 30,000 pages. My office will certainly need more than 30 days to review that many documents. The determination of the amount of time needed will depend upon factors such as whether a document review team needs to be hired, and other such measures.

Defendant will also be making an application for a protective order regarding the confidentiality of the material being produced. Defendant wishes to comply with his discovery obligations, but at the same time ensure that this information is used only for the purposes of this litigation.

Between the size of the productions, we anticipate there will be a need to extend some of the deadlines contained in the Civil Case Management Plan and Scheduling Order.

Do not hesitate to contact us with any questions or comments.

Yours faithfully
Polizzotto & Polizzotto, LLC

/s/ Alfred Polizzotto, III

Alfred Polizzotto III